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PTO/SB/21 (08-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Application Number	10/015,572	ì
The Date	December 17, 20RECEIV	E

FORM

Total Number of Pages in This Submission

(to be used for all correspondence after initial filing)

62

**TRANSMITTAL** 

Filing Date

December 17, 20 RECEIVED

Joey CHOW

JUL 1 5 20 04

Art Unit

2171 Technology Center 2100

Examiner Name

Cindy NGUYEN

Attorney Docket Number

T01215-0108-US (123081-339723)

	ENCLOSURES (check all that apply	<i>(</i> )					
Fee Transmittal Form	Drawing(s)	After Allowance communication to Group					
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment / Reply	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final	Petition to Convert a Provisional Application	Proprietary Information					
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence	Status Letter					
Extension of Time Request	Terminal Disclaimer	Other Enclosure(s) (please identify below):					
Express Abandonment Request	Request for Refund	- Return Receipt Postcard - Reference to IDS (1 reference)					
Information Disclosure Statement	CD, Number of CD(s)						
Certified Copy of Priority Document(s)	Remarks						
Response to Missing Parts/ Incomplete Application	- Fee Transmittal Form PTO/SB/17 submitte	d in duplicate					
Response to Missing Parts under 37 CFR 1.52 or 1.53							
SIGNATUR	RE OF APPLICANT, ATTORNEY, OR AGEN	IT					
Firm McCarthy Tétrault L	Medateny Tetradit DET per Robert II. Makano (Reg. 140, 40,470)						
Individual name							
Signature 33	Signature 33						
Date July 8, 2004							

# CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

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Signature
Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** 

180.

Co	Omplete if Known RECEIVED
Application Number	10/015,572
Filing Date	December 17,2001 JUL 1 5 2004
First Named Inventor	Joey CHOW
Examiner Name	Cindy NGUYEN Technology Center 21
Art Unit	2171
Attorney Docket No.	T01215-0108-US (123081-339723)

METHOD OF PAYMENT (check all that apply)	(y) FEE CALCULATION (continued)					
Check Credit card Money Other None			DNAL	FEES		
Deposit Account:	Large Fee	Entity Fee	Smal Fee	LEntity Fee		
Deposit Account 15-0633	Code 1051	(\$)	Code	(\$)	Fee Description	Fee Paid
Number	1051	130 50	2051		Surcharge - late filing fee or oath  Surcharge - late provisional filing fee or cover	
Deposit Account McCarthy Tétrault LLP	1052	50	2052	25	sheet	
Name Macartiny Tetrault 1911		130	1053	130	Non - English specification	
The Director is authorized to: (check all that apply)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge any additional fee(s) or any underpayment of fee(s)	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1251	110	2251	55	action  Extension for reply within first month	
	1252	420	2252		Extension for reply within second month	
FEE CALCULATION	1253	950	2253		Extension for reply within third month	
1. BASIC FILING FEE Large Entity   Small Entity		1.480	2254		Extension for reply within fourth month	
Fee Fee Fee Fee Description		2,010	2255	1.005	Extension for reply within fifth month	
Code (\$)         Code (\$)         Fee Paid           1001 770         2001 385 Utility filing fee	1401	330	2401	165	Notice of Appeal	
1002 340 2002 170 Design filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1003 530 2003 265 Plant filing fee	1403	290	2403	145	Request for oral hearing	
1004 770 2004 385 Reissue filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - unavoidable	
SUBTOTAL (1) (\$)	1453	1,330	2453	665	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND	1501	1,330	2501	665	Utility issue fee (or reissue)	
Fee from	1502	480	2502	240	Design issue fee	
Extra Claims below Fee Paid  Total Claims -20** = 0 X = 0.00	1503	640	2503	320	Plant issue fee	
Independent 3** = 0 X - 0.00	1460	130	1460	130	Petitions to the Commissioner	
Claims U.000 Multiple Dependent =	1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
Large Entity   Small Entity	1806	180	1806	180	Submission of Information Disclosure Statement	180.00
Fee Fee Fee Fee Description Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE)	
		900	1802	900	Request for expedited examination	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		er fee (s	specify)		of a design application	
SUBTOTAL (2) (\$) \$0.00		/ (				
**or number previously paid, if greater; For Reissues, see above	*Red	luced b	y Basic	Filing I	Fee Paid SUBTOTAL (3) (\$)	\$180.00
Community pare, if greater, i or Neissues, see above					(4)	\$100.00

SUBMITTED BY				Complete (if app	licable)	
Name (Print/Type)	Robert H. Nakano	Registration No. (Attorney/Agent)	46,498	Telephone	(416) 601-7852	
Signature	83-20-			Date	July 8, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BAY'e Application of:

CHOW, Joey et al.

Title:

SYSTEM AND METHOD OF SELECTING SOURCES FOR A

NETWORK ELEMENT HAVING REDUNDANT SOURCES

Serial No.:

10/015,572

RECEIVED

**Art Unit:** 

**Examiner:** 

2171

NGUYEN, Cindy

Atty's Docket No.:

T01215-0108-US (123081-339723)

Technology Center 2100

JUL 1 5 2004

Date: July 8, 2004

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place,
Customer Window, Mail Stop AMENDMENT
Crystal Plaza Two, Lobby, Room 11503
Arlington, VA 22202
U.S.A.

# INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 C.F.R. § 1.56, the Applicant encloses a completed Information Disclosure Statement.

Pursuant to 37 C.F.R. § 1.97 (c) and § 1.17 (p), the submission of this statement is accompanied by the prescribed fee of \$180.00. In the event that additional fees are due, the Patent Office is hereby authorized to charge any such fee deficiency to deposit account No. 15-0633 of McCarthy Tétrault LLP.

According to the terms of 37 C.F.R. § 1.97(g) and (h), this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is or is considered to be material to patentability, or that no other material information exists.

One (1) foreign patent documents is cited on the enclosed one (1) sheet of Form PTO/SB/08a. A copy of the reference is enclosed in accordance with 37 C.F.R. § 1.98.

#### **REMARKS**

# **Agents of Record**

Further to a Customer Number Batch Update form dated and mailed April 7, 2004 which included a reference to the captioned application, the undersigned attorney confirms that the contact agent of record, Alfred Macchione, has relocated his practice to the firm of:

McCarthy Tétrault LLP Customer Service #: 27155 Toronto Dominion Bank Tower P.O. Box 48, Suite 4700 Toronto, Ontario M5K 1E6 Canada

Applicant has consented to having contact agent retain responsibility as agent of record. Undersigned attorney advises that in total the following agents of record are also now associated with the same customer number and have the authority to also act on behalf of the Applicant for the above matter:

Alfred Macchione
Reg. No. 40,333
Robert Nakano
Reg. No. 46,498 (undersigned attorney)
Reg. No. 30,017
Kenneth Bousfield
Christopher Hunter
Reg. No. 40,460
Reg. No. 52,528

Undersigned attorney also advises that the attorney reference number has been changed to:

Atty's Docket No.: T01215-0108 US (123081-339723).

Applicant requests that the USPTO update its records for this application accordingly.

### Information Disclosure Statement

The foregoing Information Disclosure Statement is based upon the information contained in the undersigned attorney's file as of the filing date of this statement and is inclusive of the best information known to the undersigned at that date. Prompt consideration of this Information Disclosure Statement and the references by the Examiner is respectfully requested.

Should any Patent Office official want to telephone, the call should be made to Robert H. Nakano (Registration No. 46,498) at (416) 601-7852.

Yours very truly,

Robert H. Nakano Registration No. 46,498

McCarthy Tétrault LLP Suite 4700, Box 48 Toronto Dominion Bank Tower Toronto, Ontario M5K 1E6 Tel: 416-362-1812

Fax: 416-868-0673

RNH/BDP/ks

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known					
Application Number	10/015,572				
Filing Date	December 17,2001				
First Named Inventor	Joey CHOW				
Art Unit	2171				
Examiner Name	Cindy NGUYEN				
Attorney Docket Number	T01215-0108-US (123081-339723)				

	U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number	Number  Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Office <sup>3</sup>	Foreign Patent Do Number4	Cument Kind <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Тв
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Examiner		Date	
Signature	Ψ.	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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